



City of NORFOLK

C: City Attorney, Department of Law


To the Honorable Council
City of Norfolk, Virginia

March 10, 2015

From: Adam Melita, Deputy City Attorney

Subject: An ordinance to repeal an amendment to Chapter 27 of the Zoning Ordinance of the City of Norfolk, 1992 that had created the Talbot Hall Residential Planned Development District (PD-R Talbot Hall).

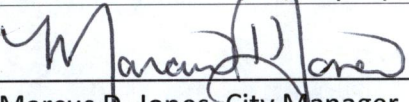
Reviewed:



Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 1/6

Approved:



Marcus D. Jones, City Manager

Item Number:

PH-8A

- I. **Recommendation:** No recommendation.
- II. **Applicant:** Department of Law, City of Norfolk.
- III. **Description**
This agenda item is to repeal Ordinance No. 45,597, adopted on June 24, 2014. The ordinance was one of three which resulted in rezoning the property at 600 Talbot Hall Road in order to allow for the construction of 14 single-family homes and to require the preservation of the existing Talbot Hall manor house. A referendum petition seeking repeal of this ordinance is currently pending.
- IV. **Analysis**
In an effort to preserve the Talbot Hall manor house and the single-family residential rezoning which was accomplished in June, 2014, the City filed motions in the Norfolk Circuit Court requesting that the ordinances, including Ordinance No. 45,597, not be subjected to repeal by referendum. The court rejected those efforts and the referendum seeking repeal is now eligible to be scheduled for an election. Approval of this repeal ordinance is consistent with what is requested by the referendum petition.

V. Financial Impact

The Office of Elections estimates that the total costs related to a special exception can be expected to run between \$60,000 to \$75,000. Assuming that it is handled in the same way as in the past, no election would be necessary in the event that the repeal ordinances are adopted, saving the City the costs associated with conducting a special election. There are no expenditures or costs associated with adopting this ordinance.

VI. Environmental

Not applicable.

VII. Community Outreach/Notification

Advertisements have been placed in the newspaper in accordance with the requirements generally applicable to a public hearing for consideration of a general plan amendment, zoning text amendment, and rezoning.

VIII. Board/Commission Action

No Board or Commission actions are required.

IX. Coordination/Outreach

This letter has been coordinated with the Department of Law.

Supporting Material from the Department of Law:

- Copy of Ordinance 45,597 adopted on June 24, 2014.

Form and Correctness Approved: 

By 

Office of the City Attorney

Contents Approved: 

By 

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REPEAL AN AMENDMENT TO CHAPTER 27 OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, CREATING THE TALBOT HALL RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (PD-R TALBOT HALL).

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the amendment to Chapter 27 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), adding thereto a new enumerated section, including subsections, entitled "Talbot Hall Residential Planned Development District (PD-R Talbot Hall)" adopted by Ordinance No. 45,597, is hereby repealed.

Section 2:- That this action is taken as a direct result of the referendum by the Committee of Petitioners seeking to repeal the above-mentioned ordinance.

Section 3:- The Council hereby finds that this repeal is required by public necessity, convenience, general welfare, or good zoning practice.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

04/16/2014 tsv

Form and Correctness Approved:

By

Office of the City Attorney

Contents Approved:

By

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No. 45,597

PH-6A AN ORDINANCE TO AMEND CHAPTER 27 OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO CREATE THE TALBOT HALL RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (PD-R TALBOT HALL).

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Chapter 27 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) is hereby amended and reordained by adding thereto a new enumerated section, including subsections, entitled "Talbot Hall Residential Planned Development District (PD-R Talbot Hall)" and containing text and a table as set forth in "Exhibit A," attached hereto.

Section 2:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (2 pages)

Adopted by Council June 24, 2014
Effective June 24, 2014

TRUE COPY

TESTE:

R. BRECKENRIDGE DAUGHTREY, CITY CLERK

BY:

DEPUTY CITY CLERK

EXHIBIT A

27-39 Talbot Hall Residential Planned Development (PD-R Talbot Hall).

- 27-39.1 *Purpose statement.* The Talbot Hall Planned Development Residential District is intended to permit the development of single-family homes and the preservation of the historic Talbot Hall manor house, constructed in 1799 on an site encompassing 9.2 acres.
- 27-39.2 *Land uses.* Uses in the district shall be permitted by right or by special exception as specified in Table 27-39-A – Table of Land Uses and shall be restricted to the uses listed therein.
- 27-39.3 *Maximum density.* Not more than 14 single-family dwellings shall be constructed within the district.
- 27-39.4 *Maximum building height.* The maximum building height for single-family dwellings shall be 35 feet.
- 27-39.5 *Parking requirements.* At least two (2) off-street parking spaces shall be provided for each single-family dwelling.
- 27-39.6 *Yard requirements.* The following minimum yards are required:
- (a) Front yard: 15 feet.
 - (b) Side yard: 5 feet.
 - (c) Rear yard: 50 feet.
- 27-39.7 *Buffer yard.* A buffer yard not less than fifty (50) feet in width shall be maintained between the delineated upper limits of wetlands as defined under applicable provisions of state law and any principal or accessory structure. No building shall be located within this buffer yard.
- 27-39.8 *Talbot Hall Preservation.* The existing Talbot Hall manor house shall be preserved on its own lot with a minimum of 200 feet of frontage along a public street.

PD-R TALBOT HALL
TABLE 27-39-A – TABLE OF LAND USES

LAND USES	DISTRICT	COMMENTS
	PD-R TALBOT HALL	
P = Permitted Use S = Special Exception Use		
RESIDENTIAL USES		
Single-Family	P	No more than 14 dwellings permitted
PUBLIC AND CIVIC USES (Sites < 1 Acre)		
Governmental Operations (non-industrial)	P	
Recreation Center, Community (private)	P	
Park	P	
Utility Facility	P	